

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

MARIANO MALDONADO PAGAN

Petitioner,

v.

CIVIL NO. 98-2383 (RLA)

SR. MALAVE, WARDEN, BAYAMON  
CORRECTIONAL FACILITY et al.,

Respondents.

**ORDER STATING ISSUES AS TO WHICH COA WAS GRANTED**

In accordance with 28 U.S.C. § 2253(c)(3) and the First Circuit Court of Appeals' request, (docket No. 79) we hereby specify that the issues on which the certificate of appealability was granted were: (1) whether jurists of reason would find it debatable that the petition stated a valid claim of a constitutional right; and (2) whether jurists of reason would find it debatable that this court was correct in its procedural ruling that petitioner failed to exhaust state remedies.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 23<sup>rd</sup> day of July, 2004.

S/Raymond L. Acosta  
RAYMOND L. ACOSTA  
United States District Judge